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FM SECSTATE WASHDC
TO AMEMBASSY RANGOON IMMEDIATE
AMEMBASSY BANGKOK IMMEDIATE
INFO AMEMBASSY KATHMANDU IMMEDIATE
USMISSION GENEVA
NSC WASHINGTON DC 0000
CDR PACOM HONOLULU HI//

UNCLAS STATE 138933

SIPDIS

AIDAC RANGOON FOR SAMANTHA CARL YODER, BANGKOK FOR

E.O. 12958: N/A

TAGS:

SUBJECT: USAID/DCHA/OFDA RESPONSE TO DISASTER

DECLARATION FOR DETERIORATING HUMANITARIAN CONDITIONS
IN BURMA

REFS: (A) RANGOON 00952
(B) STATE 165530 (OFDA FY 2007 GUIDANCE CABLE)

RDMA WHELDEN, CONTROLLER, AND OFDA DOLAN, KATHMANDU
FOR BERGER AND MCINTYRE, GENEVA FOR KYLOH, NSC FOR
MARCHAM

1. IN ACCORDANCE WITH POST'S REF A DISASTER
DECLARATION AND REQUEST FOR ASSISTANCE,
USAID/DCHA/OFDA IS ESTABLISHING A MISSION ALLOWANCE OF
USDOLS 50,000 AS A CONTRIBUTION TOWARD IMMEDIATE
HUMANITARIAN NEEDS OF AFFECTED POPULATIONS IN BURMA.
USAID/DCHA/OFDA UNDERSTANDS THAT THESE FUNDS WILL BE
AWARDED TO SAVE THE CHILDREN/BURMA BY USAID'S REGIONAL
DEVELOPMENT MISSION FOR ASIA (RDMA) IN BANGKOK, IN
CONSULTATION WITH EMBASSY RANGOON AND OFDA'S
BANGKOK-BASED SENIOR REGIONAL ADVISOR.

2. USAID/DCHA/OFDA APPRECIATES POST'S ONGOING
CONSULTATION WITH USAID/DCHA/OFDA REGIONAL ADVISORS
AND RDMA REGARDING UTILIZATION OF THESE FUNDS AND ANY
POTENTIAL ADDITIONAL HUMANITARIAN ASSISTANCE
REQUIREMENTS.

3. NOTE: BASED ON THE MULTIPLE FACTORS CONTRIBUTING
TO DETERIORATING HUMANITARIAN CONDITIONS IN BURMA (REF
A), INCLUDING FOOD INSECURITY AND CIVIL UNREST,
USAID/DCHA/OFDA IS CATEGORIZING THIS ASSISTANCE AS
RESPONSE TO A COMPLEX EMERGENCY.

4. FISCAL DATA WHICH WOULD NORMALLY BE TRANSMITTED
WITH THIS CABLE IS UNAVAILABLE DUE TO THE FISCAL YEAR
TRANSITION AND WILL BE PROVIDED SEPARATELY BY EMAIL TO
RDMA FOR AWARD OF FUNDS TO SAVE THE CHILDREN.

5. INFORMATION ON NUMBER OF PEOPLE AFFECTED AND
DISPLACED IS IMPORTANT FOR OFDA RECORDS. THIS
INFORMATION IS ALSO NEEDED TO RESPOND TO CONGRESSIONAL
AND PUBLIC INQUIRIES.

6. THESE FUNDS ARE TO BE USED FOR IMMEDIATE DISASTER
RELIEF EFFORTS.
RELIEF ASSISTANCE IS THAT AID WHICH IS PROVIDED TO
SAVE LIVES AND REDUCE HUMAN SUFFERING AND MAY BE
PROVIDED FOR AS LONG AS THE CONDITION OF THE VICTIMS
RESULTING FROM THE DISASTER REQUIRES THIS SUPPORT.
USAID/DCHA/OFDA WILL CONSIDER THE RELIEF PHASE ENDED
NINETY DAYS AFTER A SUDDEN EVENT, UNLESS POST REQUESTS
AND USAID/DCHA/OFDA APPROVES A CONTINUATION OF THIS
PERIOD. RELIEF ASSISTANCE FOR ONGOING DISASTERS SUCH

AS DROUGHT AND CIVIL STRIFE CAN LAST MORE THAN ONE
YEAR DEPENDING ON THE CIRCUMSTANCES, BUT WILL REQUIRE
ANNUAL DISASTER DECLARATIONS.

7. PLEASE BE ADVISED THAT ANY ADDITIONAL ASSISTANCE

BEYOND THAT DETAILED IN THIS CABLE REQUIRES PRIOR APPROVAL FROM USAID/DCHA/OFDA PER THE GENERAL GUIDANCE PROVIDED IN REF B.

18. ACCOUNTABILITY FOR FUNDS OR RELIEF SUPPLIES, MATERIALS AND EQUIPMENT PROVIDED BY USAID/DCHA/OFDA RESTS PRIMARILY WITH THE RECIPIENT U.S. MISSION. THE U.S. MISSION IS ALSO RESPONSIBLE FOR OBTAINING AND RETAINING RECEIPTS FOR ALL PROPERTY TRANSFERRED TO HOST AGENCIES AND PRIVATE VOLUNTARY ORGANIZATIONS. TITLE TO THE PROPERTY TRANSFERS TO THE RECIPIENT INSTITUTION AT THE TIME THE PROPERTY IS PHYSICALLY TRANSFERRED. ADDITIONALLY, THE U.S. MISSION IS ACCOUNTABLE FOR ENSURING THAT THE RELIEF GOODS, EITHER PROVIDED BY USAID/DCHA/OFDA OR PROCURED LOCALLY, REACH THE INTENDED DISASTER VICTIMS. SIMILARLY, THE U.S. MISSION IN THE AFFECTED COUNTRY IS ACCOUNTABLE FOR ANY AND ALL FUNDS PROVIDED BY USAID/DCHA/OFDA. ALL ASSISTANCE PROVIDED BY USAID/DCHA/OFDA IS SUBJECT TO THE SAME AUDIT RIGHTS AS OTHER TYPES OF U.S. ASSISTANCE.

19. USAID/DCHA/OFDA ACTION OFFICER FOR THIS DISASTER IS ROB THAYER. THAYER CAN BE REACHED DURING BUSINESS HOURS AT (202)712-1257. MOBILE PHONE NUMBER FOR THAYER IS (202) 294-8424. AFTER CLOSE OF BUSINESS, USAID/DCHA/OFDA PERSONNEL CAN ALSO BE REACHED THROUGH THE OFDA DUTY OFFICER AT (301)675-5953.

110. PLEASE DIRECT ANY QUESTIONS REGARDING FORTHCOMING FISCAL DATA FOR THIS AWARD TO JOHN PEYREBRUNE AT (202) 712-4193 OR EMAIL AT JPEYREBRUNE@USAID.GOV.

111. SECTION 2110 OF THE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005, PROVIDES THAT NO INTERNATIONAL DISASTER AND FAMINE ASSISTANCE (IDFA) FUNDS MAY BE OBLIGATED TO AN ORGANIZATION THAT FAILS TO ADOPT A CODE OF CONDUCT THAT PROVIDES FOR THE PROTECTION OF BENEFICIARIES OF IDFA-FUNDED ASSISTANCE FROM SEXUAL EXPLOITATION AND ABUSE IN HUMANITARIAN RELIEF OPERATIONS. THIS PROVISION APPLIES TO FUNDS OBLIGATED FOR FY 2005 AND FOR SUBSEQUENT FISCAL YEARS. TO THIS END, THE FOLLOWING SHOULD BE INCLUDED IN ALL

AWARDS UTILIZING OFDA'S IDFA FUNDS:

"CODE OF CONDUCT FOR THE PROTECTION OF BENEFICIARIES OF ASSISTANCE FROM SEXUAL EXPLOITATION AND ABUSE IN HUMANITARIAN RELIEF OPERATIONS

AS A CONDITION FOR THIS AWARD, THE RECIPIENT CERTIFIES THAT IT HAS ADOPTED A CODE OF CONDUCT FOR THE PROTECTION OF BENEFICIARIES OF ASSISTANCE FROM SEXUAL EXPLOITATION AND ABUSE IN HUMANITARIAN RELIEF OPERATIONS. SUCH CODE OF CONDUCT MUST BE CONSISTENT WITH THE INTER-AGENCY STANDING COMMITTEE (IASC) TASK FORCE ON PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE IN HUMANITARIAN CRISES, WHICH INCLUDES THE FOLLOWING CORE PRINCIPLES:

- SEXUAL EXPLOITATION AND ABUSE BY HUMANITARIAN WORKERS CONSTITUTE ACTS OF GROSS MISCONDUCT AND ARE THEREFORE GROUNDS FOR TERMINATION OF EMPLOYMENT;
- SEXUAL ACTIVITY WITH CHILDREN (PERSONS UNDER THE AGE OF 18) IS PROHIBITED REGARDLESS OF THE AGE OF MAJORITY OR AGE OF CONSENT LOCALLY. MISTAKEN BELIEF IN THE AGE OF A CHILD IS NOT A DEFENSE;
- EXCHANGE OF MONEY, EMPLOYMENT, GOODS, OR SERVICES FOR SEX, INCLUDING SEXUAL FAVORS OR OTHER FORMS OF HUMILIATING, DEGRADING, OR EXPLOITATIVE BEHAVIOR IS PROHIBITED. THIS INCLUDES EXCHANGE OF ASSISTANCE THAT IS DUE TO BENEFICIARIES;
- SEXUAL RELATIONSHIPS BETWEEN HUMANITARIAN WORKERS AND BENEFICIARIES ARE STRONGLY DISCOURAGED SINCE THEY

ARE BASED ON INHERENTLY UNEQUAL POWER DYNAMICS. SUCH RELATIONSHIPS UNDERMINE THE CREDIBILITY AND INTEGRITY OF HUMANITARIAN AID WORK;

- WHERE A HUMANITARIAN WORKER DEVELOPS CONCERNS OR SUSPICIONS REGARDING SEXUAL ABUSE OR EXPLOITATION BY A FELLOW WORKER, WHETHER IN THE SAME HUMANITARIAN AID AGENCY OR NOT, S/HE MUST REPORT SUCH CONCERNS VIA ESTABLISHED AGENCY REPORTING MECHANISMS; AND

- HUMANITARIAN WORKERS ARE OBLIGED TO CREATE AND MAINTAIN AN ENVIRONMENT WHICH PREVENTS SEXUAL EXPLOITATION AND ABUSE AND PROMOTES THE IMPLEMENTATION OF THEIR CODE OF CONDUCT. MANAGERS AT ALL LEVELS HAVE PARTICULAR RESPONSIBILITIES TO SUPPORT AND DEVELOP SYSTEMS WHICH MAINTAIN THIS ENVIRONMENT."

RICE